

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ORDER

WHEREAS, on September 6, 2005, Jimmie Lewis ("Lewis") filed a motion for discovery (D.I. 28);

WHEREAS, the motion requests the names and addresses of all defendants named in Lewis' motion to amend the complaint (D.I. 19); the names and addresses of all physicians, psychologists, psychiatrists, nurses, nurse assistants, secretaries, teachers, and mental health advocates on active duty or working at the "Mitchell Building" between May 20, 2004 and June 26, 2004; and surveillance video for June 21, 2004 through June 22, 2004;

WHEREAS, on February 7, 2006, the court issued a Memorandum and Order (D.I. 52) granting in part and denying in part Lewis' motion to amend;

WHEREAS, the court ordered Lewis to file an amended complaint in accordance with its Memorandum and Order;

WHEREAS, on April 5, 2006, Lewis filed a Second Amended Complaint (D.I. 56) with the court;

WHEREAS, an answer to the Second Amended Complaint was recently filed by, or is shortly due from, each of the above-named defendants; and

WHEREAS, after having considered Lewis' motion, as well as the fact that not all of the defendants have filed an answer to the Second Amended Complaint, the court concludes that the motion is premature and will, therefore, deny it without prejudice to Lewis to file another motion for discovery at the appropriate stage of this litigation;

IT IS HEREBY ORDERED that:

1. The plaintiff's Motion for Discovery (D.I. 28) is DENIED without prejudice.

Dated: June 29, 2006



UNITED STATES DISTRICT JUDGE